REMARKS

This Amendment is filed in response to the Office Action of March 15, 2005. A response is due on June 15, 2005.

Claim 1 is amended to clarify the embodiments of the present invention.

Claims 1-5, 7, 8, and 17-28 are pending after entry of the present Amendment.

Rejections under 35 U.S.C. § 103(a):

Claims 1-5, 7, 8, and 17-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Narendran et al., U.S. Patent No. 6,070,191 (hereafter "Narendran") in view of SWE: Toward a scalable WWW server on multi-computers, Andresen et al., Department of Computer Science, University of California, 1996, pages 1-7 (hereafter "Andresen"), and further in view of High Availability & Scalability with Dominos Clustering and Partitioning on AIX, September 1998 (hereinafter "IBM").

Claim 1 recites, among other features, limitations of determining a most recently accessed session from a plurality of sessions on a plurality of servers, determining at a first server a location of the most recently accessed session on one of the plurality of servers, and redirecting a client unit via the first server to a second server of the plurality of servers having the most recently accessed session, wherein redirecting is executed when said first server fails to respond to said client unit with a message, the message indicating availability of said first server.

Narendran, however, discloses a redirection server that redirects a client to a document server based on a set of pre-computed redirection probabilities. That is, according to Narendran, redirection is initiated by a client request to a redirection server for obtaining a document. The client is redirected by the redirection server to a document server containing

the requested document. Redirection to a server containing the requested document is based on pre-computed redirection probabilities. Redirection probabilities are computed by balancing the load of client requests among the document servers, equalizing the document access rates of the document servers, and accounting for changes in the capacity of the document servers.

In contrast, according to the claimed embodiments of the present invention, redirection is not executed by a client request to a redirection server. Instead, redirection is executed when a first server fails to respond to a client unit with a message. The message indicates to the client unit the availability of the first server. The client unit is redirected to a second server only after the first server fails to respond to the client unit with the message. The message, if received, would indicate that the first server is available. However, if the first server fails to respond with the message, the failure to respond would indicate that the first server is not available or the server has failed. Then, the client unit is redirected to a second server.

Narendran, on the hand, fails to disclose the limitation of executing redirection from a first server to a second server when the first server fails to respond to the client unit with a message. Narendran's redirection server is executed when a client requests access to a document. Thus, a client request for access to a document triggers Narendran's redirection server; whereas, according to the claimed limitations of the present invention, redirection is executed when the first server fails to respond to the client with a message or that the first server has failed.

Although Narendran's pre-computed redirection probabilities account for server failure and balance the load of client request among functional servers, Narendran's redirection server is executed by a client request; not by a server failure.

In addition, according to the claimed embodiments of the present invention, a client unit is redirected via a first server to a second server having the most recently accessed session. Thus, the criteria of how a client is redirected according to the present claimed embodiments are different from the pre-computed redirection probabilities as disclosed in Narendran.

Accordingly, for at least these reasons discussed, Narendran fails to disclose each and every limitation of the claimed embodiments of the present invention.

The deficiency of Andresen presented in the Amendment of December 9, 2004, is incorporated by reference.

Assuming, for the sake of argument, that IBM discloses the feature of providing redundant servers to prevent a single point of failure and IBM is combined with Narendran-Andresen, for the reasons discussed above, the combination still fails to disclose each and every limitation of the claimed embodiments. That is, IBM fails to remedy all of the deficiencies of Narendran-Andresen.

Since the combination of Narendran-Andresen and IBM fails to disclose each and every limitation of the claimed embodiments, claims 1-5, 7-8, and 17-27 have not been not rendered obvious by Narendran in view of Andresen and further in view of IBM.

Claim 28 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Narendran-Andresen in view of IBM and further in view of Dean et al., U.S. Patent No. 6,023,762 (hereinafter "Dean").

Similar to the discussion above, Narendran-Andresen and IBM also fails to disclose each and every limitation of independent claim 28. That is, the combination of Narendran-Andresen and IBM fails to disclose the limitation of redirecting a client unit via a first server to second server when the first server has failed. In addition, redirection is based on the criteria of redirecting to a server having a next most recently accessed session.

The deficiency of Dean presented in the Amendment of December 9, 2004, is incorporated by reference.

Based on the deficiencies as discussed, even if deemed there is a proper motivation to combine Narendran-Andresen and IBM with Dean, a proposition that Applicants would disagree, the resulting combination would not include all the claimed limitations of independent claim 28. Therefore, Narendran-Andresen and IBM in view of Dean have not rendered independent claim 28 obvious.

Accordingly, after entry of the present Amendment, the application is now in a condition for allowance. A Notice of Allowance is therefore respectfully requested.

If the Examiner has any questions concerning the present Amendment, the Examiner is kindly requested to contact the undersigned at (408) 774-6911. If any other fees are due in connection with filing this Amendment, the Commissioner is also authorized to charge Deposit Account No. 50-0805. (Order No. SUNMP576). A duplicate copy of the transmittal is enclosed for this purpose.

Respectfully submitted,
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